

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Edward S. Fry, et al.  
Serial No. 10/715,336  
Filing Date: November 17, 2003  
Confirmation No. 2389  
Group Art Unit: 2877  
Title: *Apparatus and Method for Direct Measurement of  
Absorption and Scattering Coefficients in Situ*

Honorable  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Esmarie A. Garland  
Esmarie A. Garland

April 1, 2004  
Date

Dear Sir:

**Information Disclosure Statement**

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the document listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Furthermore, pursuant to 37 C.F.R. §§ 1.97(g)(h), no representation is made that these documents qualify as prior art, that these documents are material to the patentability of the present application, or that a search has been made.

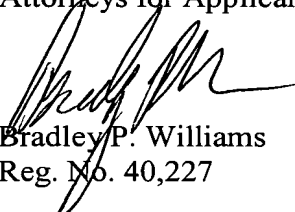
**Remarks**

Since the present Application was filed after June 30, 2003, copy of the U.S. patent cited on the attached PTO Form 1449 is not being submitted with this Information Disclosure Statement pursuant to the July 11, 2003 waiver of 37 C.F.R. § 1.98(a)(2)(i) by the United States Patent and Trademark Office.

This Information Disclosure Statement is submitted before an Office Action on the merits, and therefore, pursuant to 37 C.F.R. § 1.97(b), no fee is believed to be due. If, however, a fee is due, the Commissioner is authorized to charge such fee to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

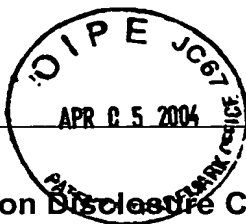
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PTO-1449 <b>Information Disclosure Citation in an Application</b>	Application No. <b>10/715,336</b>	Applicant(s) <b>Fry, et al.</b>	
	Docket Number <b>017575.0887</b>	Group Art Unit <b>2877</b>	Filing Date <b>November 17, 2003</b>

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,424,840	06/13/95	Moore, et al.	356	410	08/03/1994
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	L							
	M							
	N							
	O							

**NON-PATENT DOCUMENTS**

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	P		
	Q		
	S		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.